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February 17, 2010

Senator Toni Harp  
Representative John Geragosian  
Appropriation Committee Co-Chairs  
Legislative Office Building, Room 2700  
Capitol Ave.  
Hartford, CT 06106

### Public Testimony of Deborah L. McKenna

My name is Deborah McKenna. I am an attorney at Outten & Golden, LLP in Stamford and a resident of Milford, CT. I have been in practice since 1996, and my work has always focused on employee rights and women's issues. I first met Leslie Brett, the PCSW's former Executive Director during law school, when I was an intern at the Connecticut Women's Education and Legal Fund and later, when she taught my "Women and The Law" class at UCONN. That was also my first opportunity to learn about the PCSW and the important service it provides to all Connecticut's citizens. I have since had the opportunity to meet and work with PCSW's wonderful present director, Teresa Younger.

Unfortunately, due to previous commitments, I am unable to attend the Appropriations Committee hearing in person. However, as I have done in the past, I wanted to share my thoughts about the importance of the work that the PCSW performs on behalf of all of the citizens of Connecticut. I have had a unique opportunity to represent the PCSW on a few matters over the past years and have witnessed first hand the vital function this agency serves for Connecticut.

Prior to my tenure with Outten & Golden, LLP, I was a partner at Livingston, Adler, Pulda, Meiklejohn & Kelly, PC in Hartford. I am sure many of you knew Ruth Pulda, one of my former law partners, mentor and friend. In 1997, Ruth and I were working with a coalition of women's groups in connection with issues related to the proposed Avon Surgery Center. As some of you may recall, a group of hospitals in central Connecticut – including UCONN's John Dempsey Medical Center, St. Francis Hospital, Hartford Hospital and New Britain General

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Hospital had proposed to open a surgery center to serve patients in Avon. Despite the fact that one of the partners in this venture was a state institution, St. Francis sought to enforce the Catholic directives on the center – which in the groups' opinion meant that the medical care that could be provided to female patients would be restricted in ways that the care provided to male patients would not be. Since the proposal first had to be approved by the Office of Health Care Access (OHCA), which was required to hold public hearings on the proposal, there was an opportunity for us to get involved. The coalition and the PCSW sought legal status to intervene in the proceedings, in order to further investigate the impact this center would potentially have on women's health care in the state. OHCA recognized PCSW's unique mandate with regard to women's issues and its role as a state agency of sorts and granted PCSW's request. During those proceedings, PCSW was able to raise many issues related to how women's health care would be provided at the proposed facility and make its voice heard. This was the first of a number of similar proceedings and issues that developed with regard to women's health care in the 1990s and early 2000s.

In 2005, PCSW learned that Lawrence and Memorial Hospital in New London, CT had filed paperwork with OHCA requesting permission to close its ob/gyn clinic. This clinic had a long history of providing necessary care to many women in Southeastern Connecticut, particularly those who were low income. Again, through PCSW's status as a state agency, we were able to achieve intervener status in the public hearing before OHCA. The hearing took place at Mitchell College, on a snowy day in March 2005, before a room of community leaders, hospital officials, L & M employees and patients. At the time, Ruth, Leslie and I had agreed that I would be lead counsel at the hearing. Having been through the process before, we expected that we would be granted some time at the end of the proceedings to pose our questions and make concerns known. However, once OHCA convened the hearing, it became clear that the PCSW was going to be permitted a much larger and more meaningful role – with OHCA permitting us to do the initial cross-examination of the hospital executives. I think that this was direct result of the reputation that the PCSW had developed as an advocate on these issues and in deference to its legislative mandate. In the end, OHCA denied the Hospital's proposal – in large part because it had not shown sufficient evidence that it had a plan to ensure adequate and continuity of health care for women in this area. Had the PCSW not been there – I do not know that the issues would have come across so clearly and so effectively.

Last week, I attended the PCSW's informational hearing. During that hearing, Catherine Zeiner, Executive Director of the Women's Center of Southeastern Connecticut, Inc. testified about the positive impact that PCSW's involvement in the L & M proceeding has continued to have for all of the women served by this facility, even 5 years after the fact. It was heartening for me to hear, as I am sure it was for the PCSW's leadership, that PCSW's work has continued to have a significant and beneficial impact on this community, long after the hearings were concluded.

Even after enduring substantial cuts to its budget during the past fiscal year, PCSW has continued to play a vital role in improving the quality of life for women and all citizens in Connecticut. One look at the PCSW's stated 2010 Agenda demonstrates that it has continued to honor its 36 year history as strong voice for women in Connecticut. While there are other effective women's organizations in Connecticut, the unique mandate of the PCSW gives it the